

THE HONORABLE BRIAN D. LYNCH
CHAPTER 13
HEARING DATE: March 27, 2019
HEARING TIME: 1:30 P.M.
LOCATION: Tacoma, Washington
RESPONSE DATE: March 20, 2019

**IN THE UNITED STATES BANKRUPTCY COURT FOR THE
WESTERN DISTRICT OF WASHINGTON AT TACOMA**

In re:

Case No.: 18-44354-BDL

DAVID ERIC HELTZEL and
LISA NADINE HELTZEL,

NOTICE OF AND MOTION FOR DISMISSAL
PURSUANT TO 11 U.S.C. § 1307(c)

Debtors.

NOTICE

YOU ARE HEREBY NOTIFIED that a hearing on Trustee's Motion to Dismiss will be heard before the Honorable Brian D. Lynch at **1:30 P.M. on March 27, 2019**, at the U.S. Bankruptcy Courthouse, 1717 Pacific Avenue, Courtroom I, Tacoma, WA 98402.

IF YOU OPPOSE this motion, you must file your written response with the Court Clerk and deliver copies on the undersigned and all interested parties, NOT LATER THAN THE RESPONSE DATE, which is **March 20, 2019**. You should also appear at the time of hearing. If you fail to do so, the Court may enter an order granting the motion without any hearing and without further notice.

Michael G. Malaier
Chapter 13 Standing Trustee
2122 Commerce Street
Tacoma, WA 98402
(253) 572-6600

1
2
MOTION
3

4
COMES NOW, Michael G. Malaier, the Chapter 13 Trustee and alleges as follows:
5

6
1. Debtors filed this case on **December 31, 2018**. The case has not been confirmed.
7
2. Pursuant to the proposed plan, Debtors are required to make plan payments of **\$900.00** per
8 month. Debtors are presently delinquent in plan payments in the amount of **\$1,246.14**,
9 supported by the Declaration filed herewith.
10
3. Debtors have defaulted under the terms of the Plan as follows: § 1307(c)(1) unreasonable
11 delay by the debtor that is prejudicial to the creditors, § 1307(c)(6) failure to remit plan
12 payments.
13

14
WHEREFORE the Trustee prays that this case be dismissed and closed.
15

16
DATED this 6th day of March, 2019 at Tacoma, Washington.
17

18

19

20
21
22
23
24
25
Mathew S. LaCroix, WSBA# 41847 for
Michael G. Malaier, Chapter 13 Trustee